

REMARKS/ARGUMENTS

Claims 1–70 are in this application. Claims 1, 15, 24, 38, 47, 50, 58, 61 and 64 has been amended and new claim 70 has been added to clarify claim scope. No new matter has been added. In the Office Action mailed on October 31, 2006, the Examiner rejected claims 1-9, 11-13, 14-24, 27-31, 33-38, 43-58, and 61-69 pursuant to 35 U.S.C. § 102(e) as being anticipated by U.S. No. 6,445,927 filed September 18, 2000 by King et al. (King). The examiner rejected claims 25-26, and 41-42 pursuant to 35 U.S.C. § 103(a) as being anticipated by King in view of U.S. Patent Application No. 2003/0236818, filed June 25, 2002, by Bruner et al. (Bruner). The examiner rejected claims 10, 14, and 32 pursuant to 35 U.S.C. § 103(a) as being obvious over King in view of U.S. Patent No. 6,707,422, filed November 13, 2001, and issued to Sheynblat et al. (Sheynblat). The Examiner rejected claims 39-40 and 59-60 pursuant to 35 U.S.C. § 103(a) as being obvious over King. Applicant respectfully traverses the examiner's rejections.

35 U.S.C. §102(e): King et al.

The Examiner rejected claims 1-9, 11-13, 14-24, 27-31, 33-38, 43-58, and 61-69 pursuant to 35 U.S.C. § 102(e) as being anticipated by King. The pertinent independent claims are claims 1, 15, 24, 38, 47, 50, 58, 61 and 64. Applicant respectfully traverses the Examiner's rejections for the reasons detailed below.

As amended, Claim 1 includes the feature of determining a position solution for a mobile unit as a function of received signals using a **system** synchronization bias that defines a difference between a system time for a satellite navigation system and an **average** system time for a wireless communication system. Claim 15 includes the feature of **computing** a position solution for a mobile unit as a function of **system** synchronization bias data. Claim 24 includes the feature of a processor to **compute** a position solution for a mobile unit as a function of received signals using a **system** synchronization bias that defines a difference between a system time for a satellite navigation system and an **average** system time for a wireless communication system. Claim 38 includes the feature of a server to store **system** synchronization bias data between a system time for a satellite navigation system and an **average** system time for a wireless communication system; and device to receive **system** synchronization bias data from a server, and determine a position solution as a function of the

synchronization bias data and signals received from a satellite navigation system and a wireless communication system. Claim 47 includes the features of receiving signals at a device from a plurality of systems having synchronous system times, and determining a position solution for the device as a function of the signals and a system synchronization bias that defines a difference between the system times. Claim 50 includes the feature of a computer-readable medium comprising instructions to cause a processor to determine a position solution for a mobile unit as a function of signals received from a satellite navigation system, signals received from a wireless communication system, and a **system** synchronization bias that defines a difference between system times for the satellite navigation system and the wireless communication system. Claim 58 includes the feature of a computer-readable medium comprising a data structure to store one or more synchronization biases for computing position solutions for one or more mobile units, where each of the synchronization biases defines a difference between a system time for a satellite navigation system and an **average** system time for a wireless communication system. Claim 61 includes the features of receiving sets of position related measurements for a device, the measurements of each of the sets having a common **system** bias with respect to the measurements of the other set, and **computing** a position solution for the device as a function of the measurements and the common bias. Claim 64 includes the features of receiving sets of position related measurements for a device from a plurality of systems, determining different system times for each of the systems, and determining a position solution for the device as a function of the measurements and the system times, **wherein one of the system times is an average system time**. These features are neither taught nor disclosed by King.

Applicant respectfully submits that King does not enable or suggest a method for determining a position solution for a mobile unit as a function of synchronization time bias data between an average wireless communication system time bias and a satellite system time. Rather, King teaches calibration and solving for the position and time-bias of individual base stations, using GPS information as a reference. (See Column 3, Lines 48-51.) In contrast, Applicant discloses a secondary time bias, or a method for determining an *average* bias and calibration of an entire wireless communication *system*, comprising in an exemplary embodiment, a *set* of base stations. (See Paragraph 0029.) King teaches away from Applicant's claimed invention by solving, individually, and on a pre-use calibration-basis, for time biases and positions of individual base stations. (See Column 4, Lines 44-45.)

Applicant discloses the novel feature of *computing*, or calculation on the fly by the mobile unit, an average synchronization time bias over a set of wireless communication system components. (See Paragraph 0034.) Specifically, Applicant discloses computing the average synchronization time bias of the wireless communication system, concurrently with and independently of, calculating the position of the mobile unit. (See Paragraph 0035.) King teaches away from Applicant's claimed invention by simply using an individual time bias to calculate position or position to calculate an individual time bias in different sets of mathematical calculations. (See Column 3, Lines 10-17) While King discloses using an individual base station time bias in a position solution, Applicant uses a system, or average, time bias to complement individual time bias values in a position solution. (See paragraph 0041.)

The limitations of independent claims 1, 15, 24, 38, 47, 50, 58, 61 and 64 are not found in King. Therefore, Applicant respectfully submits that claims 1, 15, 24, 38, 47, 50, 58, 61 and 64, and the claims dependent thereon (claims 2-14, 16-23, 25-37, 39-46, 48-49, 51-57, 59-60, 62-63 and 65-69), constitute patentable subject matter in view of King.

35 U.S.C. §103(a): King et al. in View of Bruner et al.

The examiner rejected claims 25-26, and 41-42 pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over King in view of Bruner. The pertinent independent claims are claims 24 and 38. In view of the arguments detailed above with respect to independent claims 24 and 38, Applicant submits that dependent claims 25-26 and 41-42 constitute patentable subject matter in view of the cited reference. Applicant further respectfully submits that the Examiner has not provided a proper *prima facie* case of obviousness because there is no suggestion or teaching to combine King with Bruner in a manner that would render claims 25-26 and 41-42 unpatentable.

35 U.S.C. §103(a): King in View of Sheynblat

The examiner rejected claims 10, 14, and 32 pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over King in view of Sheynblat. The pertinent independent claims are claims 1 and 24. In view of the arguments detailed above with respect to independent claims 1 and 24, Applicant submits that dependent claims 10, 14 and 22

constitute patentable subject matter in view of the cited reference. Applicant further respectfully submits that the Examiner has not provided a proper *prima facie* case of obviousness because there is no suggestion or teaching to combine Edge with Sheynblat in a manner that would render claims 10, 14 and 24 unpatentable.

35 U.S.C. §103(a): King

The examiner rejected claims 39-40 and 59-60 pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Edge. The pertinent independent claims are claims 15 and 58. In view of the arguments detailed above with respect to independent claims 15 and 58, Applicant submits that dependent claims 39-40 and 59-60 constitute patentable subject matter in view of the cited reference.

Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case.

If there are any fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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